

EXHIBIT F

23-06-08 12:51pm From-CURIALE DELLAVERSON, et al.

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June 23, 2008

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Re: Crump Insurance v. All Risks, Ltd. & Michael McGrath

Dear Mr. Carp:

This letter is in response to your letters of June 13, 16, 17 and 18. Thank you for your patience in receiving this response.

Defendant All Risks Responses to Request for Production, Set Two

Request for Production No. 2: Defendant will amend its response as follows: Defendant has performed a reasonable and diligent search and does not have any documents responsive to this request in its possession, custody, or control.

Defendant McGrath's Responses to Plaintiff's Request for Production of Documents, Set Two

Request for Production No. 42: Defendant will amend its response as follows: Defendant has performed a reasonable and diligent search and does not have any documents responsive to this request in its possession, custody, or control.

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McGrath's Continued Deposition – McGrath's Compensation at All Risks

Defendant will not produce this information. Defendants maintain their objection that this information is protected by McGrath's constitutional right to privacy. Additionally, Defendants do not believe Plaintiff will be able to overcome this fundamental right. First, your argument with regard to your interpretation and possible application of *Morlife* is not well-founded. The

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Morlife court awarded damages based on a direct correlation of money earned by Defendants from Plaintiff's former customers. The court specifically states: "[t]he court applied a 33 percent figure to appellants' combined earnings, reflecting that 33% of Burlingame's business during the first six months was derived from commercial repair work derived from former Morlife customers." As previously explained, McGrath's compensation is not related to how much revenue McGrath may or may not have brought in. Moreover, even if his compensation were conditioned on revenue brought in, Plaintiff has failed to conduct any discovery as to the other information that would make McGrath's compensation possibly relevant per *Morlife*. Specifically, how much revenue McGrath generated for All Risks in his first year or what percentage of that generated revenue was from retailers with whom he had previously worked with while at Crump. As such, it becomes increasingly clear that Plaintiff does not have any reason related to this litigation to seek this private, confidential and proprietary information.

Second, Plaintiff, despite being requested to, has not amended its discovery response to produce the names of clients and accounts that it alleges Defendants have wrongfully taken. Likewise, Plaintiff has not given the amounts that it claims Defendant has wrongfully taken. Moreover, Plaintiff has the burden of proof. Plaintiff has conducted no discovery as to how much revenue was generated from clients that were allegedly wrongfully taken from Crump in order to try and make a comparison. As such, the argument that Plaintiff is entitled to this information because the amount of McGrath's compensation may have been "based on the percentage of All Risks' revenue derived from former Crump customers" is flawed.

Request for Production to Nick Cortezi

Plaintiff refers to two requests for production that it believes Defendant has withheld responsive documents. Defendant does have one additional document to produce that was inadvertently omitted. Please note, however, that beyond this document, there are no additional documents responsive to this request in Defendant's possession, custody, or control.

Plaintiff also indicated an interest to meet and confer as to Request for Production No. 4. This request reads as follows: "All documents, communications, electronic mail, and phone records that reflect conversations between Michael P. McGrath and Cindy Marty from April 1, 2007 through June 30, 2007." Defendants objected that the request was "overly broad and unduly burdensome" as well as in violation of "constitutional, statutory, and/or common law privacy rights of third parties not party to this litigation," specifically Ms. Marty. Defendants believe that their objections are valid. The request as written requires Defendants to comb through countless emails and phone records from

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numerous phone accounts. Such a request is clearly burdensome. Moreover, Ms. Marty – a third party to this litigation – has already been subjected to a deposition wherein information as to her communications with McGrath has already been obtained. Notwithstanding, Defendant will amend its response as follows: Defendant has performed a reasonable and diligent search and does not have any documents responsive to this request in its possession, custody, or control.

McGrath's All Risks Computer

As previously explained to counsel for Plaintiff, McGrath does not have a computer with a designated hard drive at All Risks. Instead, McGrath logs onto to All Risks' Citrix network which runs all programs in a virtual environment and saves data on network servers. As such, McGrath is not possession, custody or control of an "All Risks computer" that he can make available for inspection.

Finally, as promised, Defendants will be producing the following: (1) A log of documents withheld on privacy and/or attorney-client privilege grounds; (2) All Risks document production with Cyndi Marty's name unredacted; and (3) Amended responses. We will make every attempt to provide this information to you before your firm is unavailable on June 26th and 27th but cannot guarantee we will be able to do so. Though I appreciate that these days are holidays for your firm, I hope you can appreciate that they are not holidays for mine.

Likewise, we still await receipt of the following from Plaintiff (1) Broker of Record letters for clients Plaintiff claims Defendants wrongfully solicited and (2) the documentation and report of Mr. Pixley based on his review of Mr. McGrath's home computer.

Very truly yours,

Kristen L. Williams
 Kristen L. Williams

KLW/ap